

3:12 MJ 7096
2012 DEC 21 PM 2:12
FILED
EASTERN U.S. DISTRICT COURT
NORTHERN TOLEDO, OHIO

ATTACHMENT A

AFFIDAVIT

This Affidavit is offered in support of an arrest warrant for the following individual: Richard Schmidt.

I, Andrew J. Gafford, a Special Agent, with the Federal Bureau of Investigation's Joint Terrorism Task Force, being duly sworn, deposes and states:

INTRODUCTION AND QUALIFICATIONS

1. Your Affiant is an investigative or law enforcement officer of the United States within the meaning of Section 2510 (7), of Title 18, United States Code, as a Special Agent of the FBI. As such, your Affiant is empowered to conduct investigations of, and to make arrests for, offenses enumerated in Title 18, United States Code, Section 2516.

2. Your Affiant has been employed by the FBI since February 13, 2011. Prior to joining the FBI, I worked with the Defense Intelligence Agency (DIA) for approximately 4 years. While with the DIA, I provided analysis and support for anti-terrorism activities. Since joining the FBI I have received training in investigative techniques, firearm qualifications, and FBI policy and procedures. I have participated in approximately six arrest operations and 10 other search operations.

3. The facts set out below are based upon information I have obtained personally and from other law enforcement personnel. I have not set out all of the information I have learned relating to the investigation but only that necessary to show there is probable cause to believe that evidence of the crime of felons in possession of a firearm 18 U.S.C., section 922(g).

4. Schmidt is described as a white male, approximately 47 years old, 6'4" feet tall, 250 pounds, brown/blond hair, blue eyes, and a tattoo on his left arm. He was convicted of manslaughter on March 3, 1990 for the manslaughter of one individual in Lucas County Common Pleas case number CR896976.

5. Richard Schmidt, hereinafter "Schmidt," owns one sports memorabilia store, Spindletop Sports Zone in the Shopping Center in Bowling Green, Ohio. Schmidt also has control over four trailers

located in the parking lot of the Shopping Center. Trailer 1 is a silver colored trailer with a Michigan license plate of C124426 which is registered to Joshua Radtkin of 3624 Wallwerth Drive in Toledo, Ohio. Trailer 2 is a white colored trailer with no VIN number but bearing Ohio license plate of SPZ-3446 registered to Vinland Preservation League of 39 W. Alexis #112 in Toledo, Ohio (this plate belongs on the Shishewana Holiday Expo trailer) . One side of the trailer has advertisement for Spindletop Sports Zone and the other side has advertisement for advanced fingerprinting service. Trailer 3 is a black trailer with Michigan license plate of A273040. The vehicle has no ownership records. Trailer 4 is a white trailer with no license plate. The vehicle has a VIN of 5HCKU20237E010329. The vehicle has advertising on the side for Shishewana Holiday Expo dates. Schmidt also owns the residence located at 1705 Marlow Road in Toledo, Ohio. The residence is a single story blue house that is the second residence west of Jackman Street on the south side of the street. Schmidt has three vehicles, a 1998 White Buick Riviera, Ohio registration of FMA-5086, VIN 1G4GD2219W4700407; a 1999 Black Dodge Durango, Ohio registration EXV-3436, VIN 1B4HS28Y1XF701153; and a 1993 White Ford Truck with Ohio ETU-7587, VIN 1FTJX35M1PKB55717.


6. Schmidt is the only person who has access to the above locations, surveillance during the course of this investigation has revealed that he is, in fact, the only individual to have entered the trailers and is the only person with the ability to open and close the store. Records indicate he is the owner and sole occupant of the residence.

7. On December 21, 2012, special agents with the FBI executed duly-issued search warrants at the above-listed locations, during the search, special agents found the following firearms and ammunition: in the silver trailer a bolt for a rifle was recovered along with 27 rounds of 7.62x39 mm ammunition, parts for an AR-15 and FN-FAL including a handguard and a buffer for an AR-15; inside the 1998 Buick Riviera at least 7 boxes of Winchester .308 caliber ammunition was recovered; inside the store .223 ammunition was recovered along with at least

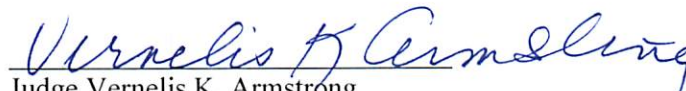
3:12 MJ 7096

seven high-capacity magazines were recovered; pursuant to the definitions of firearms provided in 18 USC §921, the bolt, buffer and rounds of ammunition are defined as firearms. Moreover, at the time of this affidavit, the search was ongoing. Based on your Affiant's training and experience, the firearms that would accept these rounds of ammunition and parts would be commonly referred to as "assault rifles."

8. Because Richard Schmidt has sustained a prior felony, and the above-listed firearms were found in his possession, an arrest warrant is requested to arrest him for being a felon in possession of a firearm in violation of 18 USC §922(g).


Andrew J. Gafford
Special Agent
Federal Bureau of Investigation
Toledo, Ohio

Subscribed and sworn to before me this 21st day of December, 2012


Judge Vernelis K. Armstrong
U.S. Magistrate